

From S. F.	Jan. 1
Sonoma	Jan. 4
Coptic	Jan. 4
For S. F.	Dec. 31
Ventura	Jan. 31
Gauche	Jan. 31
From Sydney.	Jan. 1
Moana	Jan. 1
For Sydney.	Jan. 1
Aorangi	Jan. 1

EVENING BULLETIN

FOR THE EVENING BULLETIN

HONOLULU, TERRITORY OF HAWAII, FRIDAY JANUARY 3 1902

PRICE 5 CENTS.

RAILWAY CLAIMS TAX EXEMPTION

Under Covenant Made by
Minister of Interior
in 1888.

JUDGE HUMPHREYS REFUSES NEW TRIAL

Verdict Against Savidge, Schnack and
Juen Fully Sustained by Evi-
dence—Probate and Divorce
Cases.

A submission of case has been made to the Supreme Court between the Oahu Railway & Land Company and Tax Assessor J. W. Pratt. The railway people claim an exemption from all taxes on their property for a period of twenty years from 1888, under a covenant made by the Minister of the Interior in that year.

Judge Humphreys has filed a written decision denying a new trial to William Savidge, J. H. Schnack and H. A. Juen for assault and battery upon one Kamakee. On the first ground of the motion he says: "The verdict was not in the opinion of the Court contrary to the evidence or the weight of the evidence, but it is amply sustained by it; indeed, the jury might very well have returned a verdict of guilty against the defendants, Schnack and Juen upon the 'evidence alone.' The Court takes it this ground was made pro forma, it not having been argued at all."

As to the second ground, the alleged misconduct of Juror Nick Peterson, the Court goes into the particulars and concludes: "Authority and reason justify the holding that a verdict cannot be impeached upon the uncorroborated affidavit of one person attributing misconduct to a juror, when the juror in a counter-affidavit positively denies such alleged misconduct."

Judge Humphreys granted the motion for default and judgment in Bishop & Co.'s suit on a note for \$1000 with 9 per cent interest against H. L. Evans and K. Matsumoto.

Akula Woodward is suing her husband Joseph Woodward for divorce on the ground of failure to support her.

Virginia M. Lancaster moves for a hearing of the contempt case against her divorced husband, Millie Lancaster, for neglect to comply with order of alimony.

Carran & Green of San Francisco has brought suit against Chun Hoy for a debt of \$376 for goods sold and delivered.

C. Lai Young's account as guardian of Laahia, minor, is approved and he discharged. F. J. Russell, master, receives a fee of \$10.

An order has been signed by Judge Humphreys approving the report of Henry Smith, master, on the account of S. C. Allen and M. P. Robinson, trustees under the will of James Robinson. In addition to minor corrections of the account, the Court orders: "That the settlement of the \$5000 legacy paid to Rebecca Robinson, a reversioner, and the payment to certain beneficiaries of their respective shares in the proceeds of the Waikiki real estate sold by order of the court be and the same are hereby affirmed." The master is allowed a fee of \$50.

P. A. Schaefer, administrator of the estate of Samuel Johanowitz, has rendered his first and final account, showing receipts of \$231,061 and payments of \$255.50, leaving a balance of \$230,805.51.

Although the United States has secured all that it wants or ever asked for in the Isthmian canal treaty, Senator Bailey of Texas has undertaken to organize a Democratic opposition to the ratification of the agreement. The alleged ground upon which he justifies this course is a declaration that the whole affair is none of Great Britain's business, that it concerns only Nicaragua, Costa Rica and the United States, and that therefore there should be no treaty.—Rochester Democrat and Chronicle.

The Bulletin's special industrial edition can be obtained at this office or the news-stands. Price 25 cents.

For Sale or Rent

Well located 6-room Cottage at Makiki; dining room and bedrooms mosquito proof; best of plumbing.
Only \$400 down.

MONTHLY PAYMENTS

for balance, will buy it, or will rent to family without children, for \$30 per month.
Ring up Main 69 and inquire about this.

GEO. B. McLELLAN & CO.
REAL ESTATE & INSURANCE INVESTMENTS

AMONG LAW BREAKERS

Among the cases disposed of in the Police Court this forenoon were the following:

Kauhane, larceny in the second degree, committed to the Circuit Court for trial. Kauhane is charged with stealing a Sterling bicycle from R. B. Heading on January 2. He stated to Judge Wilcox this morning that he was drunk when he stole the bicycle. Two Porto Ricans, charged with larceny, were sentenced to two months' imprisonment at hard labor. They were found in a house where they had no right. Jose, another Porto Rican, under the same charge, was sentenced to three months' imprisonment. This man was reported by the police as being rather popular in his actions. He was examined by Dr. Emerson and found to be not insane. Deputy Sheriff Chillingworth stated that the young man had been sleeping on the streets and in old houses and asked for several weeks past.

Jose Rivera, another Porto Rican, charged with stealing \$27.50, waived examination and was committed to the Circuit Court for trial. Kaimhoo, charged with assault and battery on Puhiko (tw), was sentenced to one month's imprisonment at hard labor. This was an aggravated case. The native sought out a former mistress while in a state of intoxication, knocked her down, pulled her about by her hair, struck her in the mouth and bruised the side of her face. Jose defendant denied all knowledge of the affair.

David Ku, charged with assault and battery on Keamoku, an eccentric old native woman of Kalia, this district, was sentenced to pay a fine of \$10 and costs.

FILTHY WATER FLOWS ON

The water from the cesspool in the back of the Advertiser office continues to flow out into Merchant street but it was noticed this morning that the sidewalk had been swept clear of the decaying matter which was there until yesterday afternoon.

There is a complication in the matter of this nuisance which may end in a case in court. The water comes from the government cesspool but it is said that the direct cause of the flow is a pipe from the von Holt cesspool near by which carries off the surplus from the latter and lets it into the government cesspool so that, in times of heavy rainfall, there is an overflow from this place.

Superintendent of Public Works Boyd will look into the matter to see what the real state of affairs is. If he finds the outlet from the von Holt sewer he will plug it up and then make whatever repairs on the government cesspool that might be found necessary. If the water comes from the von Holt cesspool after that is done, the owner of the property will be prosecuted.

In the meantime the people who have stores in the neighborhood and those who are forced to walk by the place of the nuisance several times a day, are forced to put up with an overflow from a cesspool and that too, right under their very noses.

GRAND ARMY NEW OFFICERS

Officers of Geo. W. De Long Post, G. A. R., for the ensuing year were installed yesterday evening. Past Post Commander R. Jay Greene being the installing officer. The list is as follows: P. C., Edward Strout; S. V. C., C. H. Dickey; J. V. C., J. T. Copeland; Q. M., George Dietz; Adj., John W. Francis, Chaplain, Robert Nelson; O. D., W. P. Williams; O. G., Richard Sherman; Sergt. Maj., Jas. E. Duff; Surgeon, S. McKeague; Q. M. Sergt., W. McCandless; Past P. C., W. I. Eaton.

After the regular business of the evening, in which the review of the past year proved highly gratifying, under the head of "good of the order" the grizzled veterans had a grand old time. Felicitous addresses were delivered by the newly installed officers and visiting comrades.

C. H. Dickey let loose on the piano and striking into a jig caused a number of the saviors of the Union in the dark sixties to forget that they were not still young and about to enlist eagerly for the defense of the flag. W. I. Eaton, the retiring Post Commander, is credited with having taken the cake. He showed his heels in a manner that he never learned in battle. Adjutant Francis was a gay second if not trying for the honors.

Altogether the annual meeting of the Post was a most joyful one and it enters the new year under exceedingly favorable circumstances. Although many of the original members of Geo. W. De Long—the first Post ever instituted off American soil—have passed away, yet since annexation the arrivals of veterans have considerably replenished the ranks.

General Collins, Democrat, has been elected Mayor of Boston over Mayor Hart, Republican, by the astonishing plurality of 59,000. The result is a surprise to both parties and shows that Boston is still susceptible to an idea. By taking up municipal ownership as a rallying cry the Democrats caught the impressionable people and went through with flying colors.—Buffalo News.

Printing and developing at Honolulu Photo Supply Co.

Public Improvements FOR LACK OF MONEY Must Sadly Languish

James H. Boyd, Superintendent of Public Works, was asked this morning if there were any show for the Kewalo masonry ditch out of the advance of expenditures to his department. His reply came in the following statement: "According to the accounts of the chief clerk's office, the expenses of the department proper amount to \$9001.75 a month, of which \$5975.75 is for salaries and pay roll and \$3026 for general expenses, including such things as care of markets, etc."

"In the office of Assistant Superintendent of Public Works the salaries and pay roll amount to \$1800 monthly, and running expenses to \$1700, out of which there is only \$150 for the water supply of Laniala that is considered important as the drainage of Kewalo."

"The pay roll of the garage department is \$2660, and running expenses \$975."

"The Bureau of Roads, including pay rolls, material, horse feed, etc., calls for \$13,957.95."

"Pay rolls and expenses of the fire departments of Honolulu and Hilo amount to \$3350."

"Water works salaries and pay rolls come to \$1345 and expenses to \$2383. All of this expense is amounts to \$33,132.70 a month, and out of the whole of it all that is to be expended outside of Honolulu are the items for Hilo electric lighting, Hilo water works, Waiohulu water works, Waikuku and Kahului water works, Lahaina water works and roads in North Kona. For actual improvements and repairs everything else is for Honolulu."

"In Honolulu we are doing the following works: Running three quarries, Macadamizing Lunailo, Nuuanu, Kalia and Kewalo streets."

"The sewer work in Kewalo, but of this I am not at present certain. No; there is no show for the Kewalo ditch, according to these figures."

"There are other circumstances, and remain, very sincerely yours,"

SANFORD B. DOLE.

The report of the Central committee was referred back to the committee with instruction to arrange for the resolution ratifying the message of President Roosevelt and to present the same at a meeting of the executive committee to be held tonight. A resolution has already been prepared and will be in readiness for tonight's meeting.

The committee of three appointed at a recent meeting to look into the matter of vacancies on the executive committee asked for further time, since its investigations had not yet been completed. The report will be ready by the meeting to be held next week. It is understood that there are five vacancies. In connection with this matter, a resolution was introduced by Representative Beckley, making it necessary for each new member of the executive committee to swear allegiance to the Home Rule Republican party and its platform. This carried unanimously.

Senator Kanaheha introduced a resolution asking Delegate Wilcox to withdraw his leper bill from Congress. There was a very warm debate on this matter and Mr. Kanaheha withdrew the resolution to be again introduced when full information as to the number, location, etc., of lepers on the Mainland could be received.

Senator Kanaheha then introduced another resolution expressing in no uncertain terms the stand of the Home Rule Republican party in the Chinese exclusion matter. There was no lukewarmness in the resolution. It declared decidedly in favor of absolute exclusion and was unanimously adopted amid great enthusiasm. The resolution was introduced with a view of doing away with all uncertainty as to the policy of the party, the impression having gone abroad that the Home Rule party were divided on the question.

James Quinn expressed his intention of introducing a resolution abolishing the central committee. It was stated at the meeting that, since the creation of this body not long ago, there had been more trouble and dissensions in the meetings of the executive committee than at any previous time. It was also charged that the central committee had made itself altogether too exclusive, had taken to meeting in dark places in secret and had done other things not calculated to promote harmony in the ranks of the party.

Chinaman Hurt.

A Chinaman driving along on Berea street in the vicinity of the Hyde premises yesterday, met with quite a serious accident. He was taking home a load of hay when his horse became frightened and he was thrown off, striking his head. The people living in the Hyde house gave the Chinaman what relief they could until a conveyance could arrive and take him to the hospital. He was badly cut about the head.

The office of
**WELLS, FARGO & CO.
EXPRESS**

HAS REMOVED TO THE MASONIC BUILDING, COR. HOTEL AND ALAKA STREETS.

Honolulu, Dec. 26, 1901.

Honolulu, 30 December, 1901.

Mesars. J. Kahanianole and Carlos A. Long, of the Committee on Arrangements and Program for a mass meeting of citizens called for January 4, 1902.

Sirs:—Your letter inviting me to a seat on the platform at such meeting, and requesting an address from me on that occasion, has been received.

As the object of the proposed meeting is the discussion of matters which have relation to the official discretion of the Territorial executive, I feel that it would be of doubtful expediency for me to take part in its deliberations.

I thank you for the courtesy in affording me an opportunity which I should be glad to avail myself of under

lili and Beckley streets. We have one repair gang on the late rainstorm damage, to operate upon Diamond Head road, Manoa road, Koaomoku street, Makiki street, the upper portion of Nuuanu street and the upper portion of Liliha street. One gang with carts is clearing away the debris from the storm. Another gang is putting in culverts on King street, Palama, while still another gang is working on King street in front of the Kalaiala and Reformatory Schools.

"Then there are the running expenses of the Road Supervisors' office, including the keeping of men working at the stables, blacksmith and harness shops, iron, material and sundry supplies for road building."

"Mr. Boyd was asked if the respective districts did not have their own road taxes to expend."

"Yes," was the answer, "but the taxes are not sufficient for their wants."

"Now, although this is a spending department it yet brings in a large amount of revenue. We have all the water works receipts and fees from other sources. An increase of taxable values of property is rightly attributed to good roads and streets. Therefore a great share of the taxes ought to be given to this department in order to keep up all such reproductive public improvements."

"I am anxious to give the outer districts their due proportion of expenditures for public works, buildings and improvements. Whatever they receive however, must come out of either one or all of the allowances for roads, water works and wharves. We may be compelled to stop even the sewer work in Kewalo, but of this I am not at present certain. No; there is no show for the Kewalo ditch, according to these figures."

"There is nothing set apart for either the Kewalo ditch or the desired Board of Health steamer."

"Beginning with a balance of, say, \$300,000, the receipts until this year's tax collection have made will amount to an average of but \$75,000 a month. All of the expenditures over this monthly increment of revenue must necessarily reduce the balance in hand so much. Every probability is that the pro rata allowances for next quarter must be reduced below the schedule just adopted for the present quarter."

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Wants

cannot long remain unsatisfied if they are advertised in The Bulletin.

AKINA NOTIFIES DOLE

The following letter has been sent to Governor Dole by J. A. Akina, Speaker of the House of Representatives of this Territory:

Honolulu, T. H., Jan. 2, 1902.
Sir: It again becomes my sad duty as Speaker of the House of Representatives of the Legislature of this Territory to notify you of a vacancy by death in the membership of the House.

On Sunday, December 22d, 1901, one of our most respected members, the Honorable Archibald F. Gillilan, one of the Representatives elected from the Fourth Representative District, while sojourning in the City of Philadelphia, met with a severe accident which resulted fatally upon the following day.

It therefore becomes my duty as Speaker to advise you that a vacancy has been created in the membership of the House of Representatives to be filled for the unexpired term as provided by law.

I have the honor to remain, very respectfully,
J. A. AKINA,
Speaker House of Representatives,
Hon. Sanford B. Dole, Governor, the Capitol, Honolulu.

THE BULLETIN.

A newspaper carrier passing the Territory Stables early this morning, noticed a fire in the stable next to the plumbing shop in the stables building. The watchman was notified and the fire was put out by means of a bucket of water.

It is the opinion of some that the fire was the result of incendiary. A lot of waste paper and other material was found afire in a corner.

THE BULLETIN.

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A CABIN BOY LOSES HIS LIFE

Japanese Fell From
Hesper and Was
Drowned.

FOUND STICKING IN MUD OF THE HARBOR

Sad Occurrence on Ill Fated Bark—
Supposed That Man Struck a
Fender and Was
Sunk.

The bark Hesper has added one more unfortunate occurrence to its already long list. It will be remembered that Captain Sodergren, the former master of the vessel, is in jail now. It will also be remembered that, when the ship was in Tahiti some years ago, the mate was murdered. Today at noon, the cabin boy went over the side of the vessel and was drowned.

The bark Hesper hauled over to the railroad wharf this forenoon for the purpose of discharging her cargo of lumber. Close upon noon time, the Japanese, aged about twenty-three, went to the side of the vessel, either to empty a pail of slops or to draw up some water. Just what he meant to do is not known.

At all events, he was seen by stevedores on the wharf to lose his balance and fall overboard. Some time elapsed, the natives who were watching, waiting for the man to appear at the surface. As it was far past the time when this appearance is usually looked for, the people of the Hesper were notified.

As quickly as possible, one of the sailors of the bark was let over the side, a rope around his body. He dived down into the depths and found the Japanese with his head sticking in the mud. The depth of the water at that place is about 24 feet.

Upon bringing the body to the surface, it was taken aboard ship and the usual methods of resuscitation were brought into play. However, these were of no avail, for the man was quite dead.